

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

EDWARD EARL THOMAS,

Plaintiff,

v.

Case Number 04-10110-BC
Honorable David M. Lawson

SOCIAL SECURITY and BOB LUCAS,
BAY CITY FBI,

Defendants.

_____ /

ORDER DENYING PLAINTIFF'S MOTION TO AMEND
AND SUPPLEMENTAL BRIEF

This matter is before the Court on correspondence from the plaintiff entitled “supplemental brief” and a separate motion seeking to amend the complaint and reopen the case. In the first document, the plaintiff states that he has sought information from the Social Security Administration, but was told that no order had issued from the Court directing that agency to provide such information. In the second document, the plaintiff writes that he has a “palpable cause” for the Court to consider. He lists several counts for the Court’s consideration including claims for back pay and damages he believes were sustained as a result of confinement in prison.

On June 21, 2004, this Court adopted a report issued by Magistrate Judge Charles E. Binder recommending that the case be dismissed for lack of merit. Since that time, the plaintiff has filed several motions seeking reconsideration in some form or another, the latest of which was denied by the Court on March 1, 2006. Although the plaintiff captions his requests otherwise, the instant documents again seek reconsideration. These requests lack merit and have been ruled on several times in the past. See E.D. Mich. LR 7.1(g)(3) (stating that the moving party must show: (1) a “palpable defect,” (2) that misled the Court and the parties, and (3) that correcting the defect will

result in a different disposition of the case); *Fleck v. Titan Tire Corp.*, 177 F. Supp. 2d 605, 624 (E.D. Mich. 2001 (explaining that a “palpable defect” is a defect which is obvious, clear, unmistakable, manifest, or plain). As a result, the Court will deny the plaintiff’s motion to amend and supplemental brief.

Accordingly, it is **ORDERED** that the plaintiff’s motion to amend or reopen and supplemental brief [dkt #s 16, 17] are **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 7, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 7, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS